

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of

Jong-youn LEE, et al.

Group Art Unit: (Unassigned)

Serial No. (Unassigned)

Examiner: (Unassigned)

Filed: Concurrently

For: APPARATUS AND METHOD FOR DIAGNOSING SLEEP APNEA

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §1.56**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 (or PTO-1449, *modified*) is a listing of a document(s) known to applicant in order to comply with applicant's duty of disclosure pursuant to 37 C.F.R. §1.56.

☐ A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. §§1.97 & 1.98. [Box checked if applicable.]

☒ A copy of each listed non-U.S. patent and/or patent publication and cited literature is being submitted to comply with the provisions of 37 C.F.R. §§1.97 & 1.98. Cited U.S. patents and patent publications are *not* attached in accordance with the waiver set forth in the Notice by the Deputy Commissioner for Patent Examination Policy dated July 11, 2003, applicable to applications having a U.S. filing date *after* June 30, 2003. [Box checked if applicable.]

\* \* \*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application. Applicant does not waive any rights to take any action that would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

☒ The listed document(s) is/are being submitted in compliance with 37 C.F.R. 1.97(b)(3): submission before the mailing date of the first action on the merits. [Box checked if applicable.]

☐ The foregoing document came to applicant's attention during the prosecution of their corresponding \_\_\_\_\_ application. ☐ A copy of the \_\_\_\_\_ Search Report is also attached. [Box(es) checked if applicable.]

#### CERTIFICATION

☐ The undersigned hereby certifies in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement. [Box checked if applicable.]

\* \* \*

Applicant respectfully requests that the listed document(s) be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.


\* \* \*

#### FEE PAYMENT

- ☐ The fee mandated by 37 C.F.R. §1.17(p) is believed applicable. [Box checked if applicable.]
- ☐ Attached is a check in payment of this fee (\$180.00). [Box checked if applicable.]
- ☐ This fee may be charged to Deposit Account No. 50-1645. (A duplicate copy of this paper is enclosed.) [Box checked if applicable.]

Respectfully submitted,

April 23, 2004  
Date

  
Eugene M. Lee, Registration No. 32,039  
Richard A. Sterba, Registration No. 43,162

LEE & STERBA, P.C.  
1101 WILSON BOULEVARD, SUITE 2000  
ARLINGTON, VA 22209  
703.525.0978 TEL  
703.525.4265 FAX

#### DEPOSIT ACCOUNT CHARGE AUTHORIZATION

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the above-paper may also be charged to Deposit Account No. 50-1645.

Sheet 1 of

FORM PTO 1449 (modified)

ATTY DOCKET NO.  
249/463SERIAL NO.  
Unassigned

U.S. DEPARTMENT OF COMMERCE

APPLICANT  
Jong-youn LEE, et al.FILING DATE  
ConcurrentlyGROUP  
Unassigned

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6415174	7/02	BEBEHANI et al.	600/513		
		6368287	4/02	HADAS	600/529		
		6342039	1/02	LYNN et al.	600/529		
		6047203	4/00	SACKNER et al.	600/388		
		5396893	3/95	OBERG et al.	128/671		

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.